

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA**

UNITED STATES OF AMERICA, )  
                                  )  
                                  )  
Plaintiff,                   )                           **8:05CR128**  
                                  )  
vs.                            )  
                                  )  
                                  )  
MACHELLE D. MAGERS,        )  
                                  )  
                                  )  
Defendant.                   )                           **ORDER CONTINUING TRIAL**

This matter is before the court on defendant's motion to continue trial (#20), now set for July 26, 2005. The motion includes a waiver of speedy trial in accordance with NECrimR 12.1. For good cause shown, I find that the motion should be granted. Trial of this matter will be continued to the next available trial setting.

**IT IS ORDERED** that defendant's MOTION TO CONTINUE TRIAL (#20) is granted, as follows:

1. The trial of this case is continued to **Tuesday, August 23, 2005** before Judge Laurie Smith Camp and a jury.
2. The ends of justice will be served by granting such motion and outweigh the interests of the public and the defendant in a speedy trial. Any additional time arising as a result of the granting of this motion, that is, the time between **July 26, 2005 and August 23, 2005**, shall be deemed excludable time in any computation of time under the requirement of the Speedy Trial Act for the reasons stated in defendant's motion. The failure to grant additional time might result in a miscarriage of justice. 18 U.S.C. § 3161(h)(8)(A) & (B).

**DATED July 5, 2005.**

**BY THE COURT:**

**s/ F.A. Gossett**  
**United States Magistrate Judge**